IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

SUM. SUIT NO.2141 OF 2000

M/s.Kedar Metals Pvt.Ltd. .. Plaintiffs
vs.
M/s.Auxi Chemicals Ltd. .. Defendants

Ms.Meeta Rajda i/b. M/s.Dhirshinh Rajda for the plaintiffs.

CORAM : S.U. KAMDAR,J.

DATED : 24th October 2005

P.C.

In the present Suit, Summons for judgment no.703/2000 was taken out and an order dated 2nd July 2002 was passed giving leave to the defendants to defend the suit on condition of deposit of Rs.1,50,000/-. The defendants have not deposited the amount and non-deposit certificate dated 31.12.2002 issued by the Prothonotary & Senior Master, High Court, Bombay is produced. The original documents are also tendered. The same are taken on record and marked as Exhibit P-1 collectively. In view of the non-deposit certificate, there shall be a decree against the defendants and in favour of the plaintiff for a sum of Rs.2,20,000/- with further interest on the principal amount of Rs.1,20,360/- at the rate of 12% p.a. Suit is decreed accordingly. No order as to costs.

2. Refund as per rules.

(S.U. KAMDAR,J.)